



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/025,226	12/18/2001	Ahmed Raslan		7372
7590 04/01/2005				
Slater & Cole, LLP Suite 1101 11 Broadway New York, NY 10004				
			EXAMINER HOLLOWAY III, EDWIN C	
			ART UNIT 2635	PAPER NUMBER

DATE MAILED: 04/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/025,226

Applicant(s)

RASLAN, AHMED

Examiner

Edwin C. Holloway, III

Art Unit

2635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 May 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Art Unit: 2635

EXAMINER'S RESPONSE

1. In response to the application filed 12-18-01, and the preliminary amendment filed 5-22-02, the preliminary amendment has been entered and the application has been examined. The examiner has considered the presentation of claims in view of the disclosure and the present state of the prior art. And it is the examiner's opinion that the claims are unpatentable for the reasons set forth in this Office action:

Response to Amendment

2. The amendment filed 5-22-02 is objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: The addition of various types of readers such as BCR added to the specification and claims by the preliminary amendment is new matter not disclosed in the original specification. The addition of gravity bias added to the specification and claims by the preliminary amendment is new matter not disclosed in the original specification. Applicant is required to cancel the new matter in the reply to this Office Action.

3. The substitute specification filed 5-22-02 has not been entered because it does not conform to 37 CFR 1.125(b) and (c)

Art Unit: 2635

because: Applicant has not provided a marked up copy of the original specification showing changes made by the substitute specification and because of the new matter discussed above. Applicant is required to particularly point out the source in the original specification (page and line numbers) of each change made to the original specification.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 13-16 and 21-23 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The specification as originally filed lack gravity bias and lacks BCR.

Claim Rejections - 35 USC § 102 & 103

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under

Art Unit: 2635

this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to

Art Unit: 2635

point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

9. Claims 5-6, 9 and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Denison (US 6359547B1). Denison discloses a safe with microprocessor controller 14 comparing a code from sensor 11 and if proper sending a signal on line 3 to circuit 19 that includes switching transistors operating as a solid state relay to switch power from power supply means (battery 18) to solenoid 31 for opening the safe. See fig. 1 and cols. 5-7.

10. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Denison (US 6359547B1) as applied above in combination with Figh (US 5392025A). Figh discloses a lock circuit with solenoid and unlock duration programmed by instructions input 318. See fig. 9 and col. 9. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have included the unlock duration program instruction of Figh in the invention of Denison for advantages such as increased security and user convenience.

11. Claim 8 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Denison (US 6359547B1) as applied above in combination with Sunyich (US4857714). Sunyich discloses an analogous art safe lock system with magnetic card reader input

Art Unit: 2635

and keypad entry and it would have been obvious to one of ordinary skill in the art at the time the invention was made to have added magnetic card reader input to the keypad input of Denison as disclosed in Sunyich for increased security.

12. Claims 10-11 and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Denison (US 6359547B1) as applied above in combination with Field (US 4663621). Field discloses a security system with spring biased solenoid in cols. 1 and 5. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have included the spring bias of Field in the solenoid of Denison for advantages such as facilitating closing of the door and maintaining position while being de-energized.

13. Claims 12 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Denison (US 6359547B1) and Field (US 4663621) as applied above in combination with Figh (US 5392025A). Figh discloses a lock circuit with solenoid and unlock duration programmed by instructions input 318. See fig. 9 and col. 9. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have included the unlock duration program instruction of Figh in the combination applied above for advantages such as increased security and user convenience.

Art Unit: 2635

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Bertagna (US 4575719), Disbrow (US 5625349) and Nishikawa (US 4602150) disclose lock systems.

CONTACT INFORMATION


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact an Electronic Business Center (EBC) representatives at 703-305-3028 or toll free at 866-217-9197 between the hours of 6 a.m. and midnight Monday through Friday EST, or by e-mail at ebc@uspto.gov. The Patent EBC is a complete customer service center that supports all Patent e-business products and service applications. Additional information is available on the Patent EBC Web site at <http://www.uspto.gov/ebc/index.html>.

Any inquiry of a general nature should be directed to the Technology Center 2600 receptionist at (571) 272-2600.

Facsimile submissions may be sent via fax number (703) 872-9306 to customer service for entry by technical support staff. Questions regarding fax submissions should be directed to customer service voice line (703) 306-0377.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edwin C. Holloway, III whose telephone number is (571) 272-3058. The examiner can normally be reached on M-F (8:30-5:00). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached on (571) 272-3068.

EH
3/21/05


EDWIN C. HOLLOWAY, III
PRIMARY EXAMINER
ART UNIT 2635